

KING & SPALDING LLP

MICHAEL J. SHEPARD (SBN 91281)

mshepard@kslaw.com

50 California Street, Suite 3300

San Francisco, CA 94111

Telephone: +1 415 318 1200

Facsimile: +1 415 318 1300

KERRIE C. DENT (Admitted *pro hac vice*)

kdent@kslaw.com

1700 Pennsylvania Avenue, NW, Suite 900

Washington, DC 20006-4707

Telephone: +1 202 626 2394

Facsimile: +1 202 626 3737

Attorneys for Defendant

ROWLAND MARCUS ANDRADE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiffs,

v.

ROWLAND MARCUS ANDRADE,

Defendants.

Case No. 3:20-CR-00249-RS-01 (JCS)

**DECLARATION OF MICHAEL J.
SHEPARD IN SUPPORT OF
DEFENDANT'S *EX PARTE* APPLICATION
FOR ORDER PERMITTING
TRANSCRIPT PREPARATION OF
CONFIDENTIAL HEARING**

1 I, Michael J. Shepard, do hereby state and declare:

2 1. On November 8, 2022, a hearing was held in this matter before the Honorable
3 Judge Joseph Spero. I attended as Lead Counsel for Mr. Andrade, accompanied by my colleague
4 Kerrie Dent. Approximately an hour and fifteen-minutes of that hearing was held in a
5 confidential manner, *ex parte*, without the presence of the government attorneys.

6 2. In late February, 2023, I requested the transcript of the November 8, 2022 hearing
7 in order to be able to share it with our client. Subsequently, I was contacted by a court
8 representative, who told me that Ana Dub, the court reporter assigned to produce this transcript,
9 required a court order to produce and deliver the transcript due to the confidential nature of the
10 hearing.

11 3. Therefore, I am requesting an order permitting court reporter Ana Dub to prepare
12 and deliver the transcript to me and my colleague Kerrie Dent. We were both at the hearing and
13 understand the proceedings were confidential, and will keep the transcript in a confidential
14 manner, sharing it only with our client and other members of the defense team.

15 4. By this application, I am not seeking an order to unseal the transcript generally,
16 nor an order to change the confidential nature of the proceedings held on November 8, 2022.
17 Furthermore, I am not requesting that this transcript be filed on the Court's docket.

18 I declare under penalty of perjury, under the laws of the United States of America, that
19 the foregoing is true and correct to the best of my knowledge, information, and belief.

20 Executed this 9th day of March, 2023, in San Francisco, California.

21 /s/ Michael J. Shepard
22 Michael J. Shepard
23
24
25
26
27
28